consistent with stated objectives: The NPRM solicits comments on a variety of alternatives.

58. *Comments are solicited:* Written comments are requested on this Initial Regulatory Flexibility Analysis. These comments must be filed in accordance with the same filing deadlines set for comments on the other issues in this NPRM but they must have a separate and distinct heading designating them as responses to the Regulatory Flexibility Analysis. The Secretary shall send a copy of the Notice to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*

C. Initial Paperwork Reduction Act of 1995 Analysis

59. This NPRM contains either a proposed or modified information collection. As part of its continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Pub. L. No. 104–13. Public and agency comments are due at the same time as other comments on this NPRM; OMB comments are due 60 days from date of publication of this NPRM in the Federal Register. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

D. Comment Filing Procedures

60. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before June 11, 1996 and reply comments on or before June 26, 1996. To file formally in this proceeding, you must file an original and six (6) copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original and eleven (11) copies. Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, NW., Room 222, Washington, DC 20554, with a copy to Janice Myles of the Common Carrier Bureau, 1919 M Street, NW., Room 544, Washington, DC 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, 1919 M Street, NW, Room 239, Washington, DC. 20554.

61. In order to facilitate review of comments and reply comments, both by parties and by Commission staff, we require that comments be no longer than twenty-five (25) pages and reply comments be no longer than fifteen (15) pages. Copies of specific proposed rules that conform to the C.F.R. format, relevant state orders, sample CPNI notification and authorization forms or letters, and empirical economic studies will not be counted against these page limits. Comments and reply comments must also comply with Section 1.49 and all other applicable sections of the Commission's Rules. See 47 C.F.R. § 1.49. However, we require here that a summary be included with all comments and reply comments, regardless of length, although a summary that does not exceed three pages will not count toward the page limit for comments or reply comments. This summary may be paginated separately from the rest of the pleading (e.g., as ''i, ii'').

62. Parties are also asked to submit comments and reply comments on diskette. Such diskette submissions would be in addition to and not a substitute for the formal filing requirements addressed above. Parties submitting diskettes should submit them to Janice Myles of the Common Carrier Bureau, 1919 M Street, NW., Room 544, Washington, DC 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible form using MS DOS 5.0 and WordPerfect 5.1 software. The diskette should be submitted in ''read only'' mode. The diskette should be clearly labelled with the party's name, proceeding, type of pleading (comment or reply comments) and date of submission. The diskette should be accompanied by a cover letter.

63. Written comments by the public on the proposed and/or modified information collections are due June 11, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before 60 days after date of publication in the Federal Register. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, NW., Washington, DC 20554, or via the Internet to dconway@fcc.gov and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725—17th Street, NW., Washington, DC 20503 or via the Internet to fain____t@al.eop.gov.

VI. Ordering Clauses

64. Accordingly, *it is ordered* that pursuant to Sections 1, 4, 222, 275, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 222, 275, and 303(r), a *Notice of Proposed Rulemaking* is hereby *Adopted*.

65. *It is further ordered* that, the Secretary shall send a copy of this *Notice of Proposed Rulemaking*, including the regulatory flexibility certification, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with paragraph 603(a) of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. (1981).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96–13329 Filed 5–24–96; 8:45 am]

BILLING CODE 6712–01–P

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47 CFR Part 73

[MM Docket No. 96–62; FCC 96–124]

Broadcast Blanketing Interference

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission proposes consolidation of FCC regulations to combine the blanketing interference rules into a new single rule section for AM, FM, and TV broadcast services. This rulemaking proceeding also proposes to amend signal contour determinations in establishing AM radio and TV broadcast blanketing areas, provide detailed clarification of broadcast licensee's responsibility in resolving blanketing interference, and provide a list of protected and non-protected devices.

DATES: Comments must be filed on or before June 25, 1996 and reply comments filed on or before July 25, 1996. Written comments by the public

on the proposed and/or modified information collections are due on or before June 29, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before July 29, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collection contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, NW., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10234 NEOB, 725—17th Street, NW., Washington, DC 20503 or via the Internet to fain ____ t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Bernard Gorden (202) 418–2190, or Robert Greenberg (202) 418–2720, Mass Media Bureau. For additional information concerning the information collection contained in the NPRM, contact Dorothy Conway at (202) 418–0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Information Collection Notification

The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. The NRPM has been submitted to the Office of Management and Budget for review under Section 3507(d) of the PRA. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commissions burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

OMB Control Number: None.

Title: Proposed Section 73.1630 Blanketing Interference.

Form Number: None.

Type of Review: New.

Respondents: Broadcast Licensees.

Number of Respondents: 21,000 Complainants.

Estimated time per response: The burden ranges from 1 hour to 2 hours.

Annual Burden: 41,000 hours.

Total Annual Cost per Respondent: 0.

Needs and Uses: This rulemaking proceeding proposes to provide detailed clarification of the AM, FM, and TV licensee's responsibilities in resolving/eliminating blanketing interference caused by their individual stations. Under the current rules (Section 73.88 (AM), Section 73.318 (FM), Section 73.685(d) (TV)), the licensee is financially responsible for resolving complaints of interference within one year of program test authority when certain conditions are met. After the first year, a licensee is only required to provide technical assistance in determining the cause of the interference. In this NPRM, we are proposing to consolidate all blanketing interference rules under a new Section 73.1630, Blanketing Interference. This new rule is designed to facilitate the resolution of broadcast interference problems and sets forth all responsibilities of the licensee/permittee of a broadcast station. For one year after the broadcast station commences program tests, the licensee is financially responsible for resolving blanketing interference complaints. After the first year, the licensee is obligated to provide technical assistance to resolve complaints of blanketing interference. The information provided to complainants will be used to facilitate the resolution of complaints of blanketing interference.

This is a synopsis of the Commission's *Notice of Proposed Rule Making* in MM Docket No. 96–62 adopted March 21, 1996, and released on April 26, 1996. The complete text of this *Notice of Proposed Rule Making* is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M St., NW., Washington, DC, and may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M St., NW., Suite 140, Washington, DC 20037.

Synopsis of Notice of Proposed Rule Making

1. This proceeding is initiated, on the Commission's own motion, in order to clarify to what extent broadcast licensees are responsible for eliminating blanketing interference caused by their individual stations. In addition, this action is taken to refine and specify methods for determining the geographical blanketing area. In many cases, the licensee's responsibility in eliminating blanketing interference is misunderstood by listeners and broadcasters alike. Thus, the objectives of this action is intended to remove confusion and facilitate the resolution of broadcast blanketing interference problems.

2. Receivers are designed to operate in an environment consisting of desired and undesired signals. As long as the levels of the signals remain within the design specifications of the receiver, it will operate in a predictable manner. If any of the signals in the environment exceed the design specifications of the receiver, the receiver will begin to operate with unpredictable results. In addition to broadcast receivers, as mentioned above, a wide range of electronic devices can suffer blanketing interference from the signals of nearby radio and TV stations. For example, we are aware of problems with telephone equipment (including answering machines, hard-wired, cordless, and cellular telephones), hi-fi audio amplifiers, public address systems, electronic music keyboard instruments, professional studio and home recording components, and electronic medical equipment. Currently, however, protection of these devices are not the responsibility of the broadcast licensee.

Blanketing Interference Contours

3. Section 73.88 currently requires licensees of each AM broadcast station to satisfy all reasonable complaints of blanketing interference within the 1 V/m contour. Unlike the rules for FM, which define the method of calculating the blanketing contour, no such method is specified for AM. Thus, the licensee may find it convenient to determine the 1 V/m contour by field measurements. As an alternative, determining the AM blanketing contour mathematically for a single tower antenna may result in a close approximation of the measured contour. Determination of the AM blanketing contour from multi-tower directional antenna arrays, however, may need to be calculated with near-field considerations.

4. In continuing to use the current AM blanketing contour, we propose that for directional antenna array systems, the determination of the 1 V/m contour along each radial direction should be by actual mathematical vector summation of the field radiated by each antenna. Since this approach may require near-field considerations, we believe that a more realistic determination of the 1 V/m contour AM blanketing area would be reflected with this method. Therefore, we propose to amend the rules for the method of calculating the blanketing

interference contour for AM broadcast stations as presented under proposed Section 73.1630(a) below.

5. Because many of the transmitting antenna signal characteristics and structural locations are the same for both FM and television broadcast stations, we are not aware of any apparent reason, at this time, not to utilize for television stations the same blanketing area contour currently used for FM stations. Therefore, for regulatory consistency, we propose to amend the rules by specifying that the TV blanketing area be defined by the 115 dBu contour, as presented under proposed Section 73.1630(b) below.

6. When the 115 dBu contour was originally proposed for FM blanketing in BC Docket No. 82–186, most of the commenters agreed with its use. Now that the industry has had much experience with this contour level, we seek information as to whether it continues to be an appropriate contour for defining FM blanketing areas, and should be extended for defining television blanketing areas. In addition, because the 1 V/m contour used for describing the AM blanketing area was established at an even earlier period than the FM blanketing contour, we seek information as to whether the 1 V/m contour continues to be an appropriate contour level in today's radiofrequency environment.

Licensee's Responsibility

7. Under the current rules, which we propose to continue, the licensee is financially responsible for resolving complaints when all three of the following conditions are met: (1) The complainant's affected device is located inside the station's blanketing contour; (2) the complainant filed notice to the station within the first year of program test authority; and (3) the interference is not to electrical devices excluded from protection by Section 73.318(b). When these conditions are met, the licensee must provide effective technical assistance in determining the cause of the problem and advising on corrective measures. Resolution of such blanketing interference complaints may involve the installation of electrical or electronic filters and traps, or the replacement of the complainants' affected equipment, and these efforts are at the licensee's expense and without cost to the complainant. If an otherwise valid complaint is lodged after the one year period, the licensee is only required to provide effective technical assistance in determining the cause of the problem and advice on corrective measures; the licensee is not financially responsible for any necessary corrective equipment or measures. If a complainant is located outside of the blanketing contour area and files after the one year period or the complaint involves devices and equipment excluded from protection, the licensee has no obligation under our rules to resolve the interference problem. However, as noted earlier, many licensees take voluntary steps to assist in alleviating the interference to promote goodwill within the station's community.

8. To give broadcast licensees further detailed guidance in resolving blanketing interference problems, we propose to publish in the rules an outlined summary of the station's responsibilities. We propose that the licensee responsibility will vary depending on (1) whether or not the complaint was filed within the first year of operation, (2) whether the complainant is located inside or outside the blanketing contour, and (3) whether the device experiencing interference is covered under the blanketing rule.

9. Additionally, we note that in today's highly transitory society, neighborhoods may have many residents move in after the initial one year period specified in the rules. Further, the proliferation of new communications services and technology may bring into established neighborhoods many new devices subject to blanketing interference. Therefore, we seek comment on whether the Commission's rules should be modified for situations when blanketing interference occurs after the one year period. Further, we seek comment on whether locations of temporary lodging or transient residences, *e.g.*, hotels, university student dormitories, and rental properties should be subject to the blanketing rules beyond the one year limit. In other words, we seek comment on whether a station's obligation ends with that initial group of complainants that files within one year, or whether the station's obligation should extend to subsequent residents. Further, we seek comment on whether these types of cases should be considered on a case-by-case basis.

Effective Technical Assistance

10. Section 73.1630(d) of the proposed rules states, ''[f]ollowing the one year period of full financial obligation to satisfy blanketing complaints, licensees shall provide technical information or assistance to complainants on remedies for blanketing interference.'' The rule requires that a licensee provide information and assistance sufficiently specific to enable the complainant to eliminate all blanketing interference and not simply that the station attempt to correct the problems. Effective technical assistance entails providing specific details about proper corrective measures to resolve the blanketing interference. For example, licensees may provide complainants with diagrams and descriptions which explain how and where to use radiofrequency chokes, ferrite cores, filters, and/or shielded cable. In addition, effective technical assistance also includes the recommendation on replacement equipment that would work better in the high radiofrequency fields. We note that the licensee may authorize a consultant or service company to provide this information or assistance. However, effective technical assistance is not rendered merely by referring the complainant to the equipment manufacturer.

High Gain Antennas

11. Section 73.318(b) specifies the conditions under which licensees and permittees must satisfy complaints of blanketing interference. It states, in pertinent part, that ''[t]hese requirements specifically do not include interference complaints resulting from malfunctioning or mistuned receivers, improperly installed antenna systems, or the use of high gain antennas or antenna booster amplifiers.'' It has been our experience that high gain antennas have not been a factor in blanketing interference problems. Therefore, we propose to delete reference to high gain antennas from our blanketing rules and seek comment accordingly.

Telephone Interference

12. A great number of blanketing interference complaints are submitted because of interference to telephones. The Commission's blanketing rules, however, do not currently require broadcasters to resolve telephone interference. Hard-wired telephones are considered non-RF devices under the current blanketing interference rules and thus, are excluded from protection per Section 73.318(b). Cordless telephones are covered by Part 15 of the Commission's rules and thus, Section 15.5(b) states, in pertinent part, that cordless telephones may not cause harmful interference and that interference to cordless telephones caused by the operation of an authorized radio station must be accepted. Portable and mobile cellular telephones are RF devices licensed under Part 22, Subpart K, and are considered as mobile receivers, and thus, not protected by the current blanketing interference rules. Because cell sites are fixed locations, however,

they would be protected from blanketing interference by the Commission's rules.

13. We are concerned about interference to all telephones and wireless devices, including interference that may develop in future PCS and specialized mobile radio (SMR) systems. Therefore, we seek specific comment on the following questions:

a. Should the Commission require broadcasters to resolve interference to telephones, either hard-wired or wireless?

b. If so, to what extent should broadcast licensees be responsible for resolving the interference? The Commission found, while conducting the telephone interference survey, that filters are not always reliable in eliminating residential telephone interference. Thus, if such filtering devices are ineffective and licensees are not required to furnish them, to what extent should licensees provide other technical information and assistance?

c. Should the Commission rely on industry voluntary efforts to implement interference free design standards for telephones, or should the Commission initiate a separate rulemaking proceeding to consider imposing higher interference immunity standards for residential telephones?

d. If voluntary standards for interference immunity are developed, should there be any blanketing requirements for telephones that do not meet the voluntary standards for interference free telephones?

Licensee's Response Time

14. There is currently no criteria for speed of service for correcting blanketing interference caused by new or modified station operation. Based on case history, many stations have been slow to respond, *i.e.*, months before a complaint was acted upon, and often even further delay before the interference was finally corrected. There is also no specific requirement to maintain records of name, location, type of complaint, etc. The public inspection file requirements, however, do specify that license application engineering related matters need not be retained longer than three years in the local public inspection file. Accordingly, in that blanketing interference is of engineering related circumstances, the Commission expects broadcast licensees to maintain all letters of such complaints that are timely filed with the station per the proposed Section 73.1630. However, in order to establish a station's definitive efforts to solve blanketing interference, should we require stations to maintain a specific log for some period of time, such as two years after new construction or transmitter modification which would include name, location, phone number, date complaint filed, date complaint resolved, type of complaint, list of affected equipment (manufacturer's name and model number), and what action it took to resolve the complaint? And finally, should we require licensees to respond to complaints within a specified period such as 10 working days and to resolve the complaints within an additional period of time such as 30 calendar days?

Conclusion

15. In light of the proliferation of electronic equipment available to consumers, the increase in the number of broadcast stations, and our concern about the effects of blanketing interference on future wireless communication systems, we believe that it is time to revisit the subject of broadcast blanketing interference. In addition to proposing amendments to refine the Commission's rules and regulations in this area for broadcast licensees, this proceeding may stimulate various related industry manufacturers to begin to meet the challenge of producing components that are less susceptible to blanketing interference. We are proposing specific rule amendments in the broadcast services that primarily clarify our current requirements. Additionally, we seek specific comment on the questions raised, especially those regarding telephone interference, and the specific rule amendments proposed below.

Administrative Matters

Ex Parte Rules—Non-Restricted Proceeding

16. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in Commission rules. See generally 47 CFR §§ 1.1202, 1.1203 and 1.1206(a).

Regulatory Flexibility Act

17. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared the following Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the proposals suggested in this document. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the NPRM, but they must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis. The Secretary shall send a copy of this *Notice of Proposed Rule Making,* including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act (Public Law No. 96–354, 94 Stat. 1164, 5 U.S.C. 601 *et seq. (1981)).*

Reason for Action. This action is taken in order to clarify to what extent broadcast licensees are responsible for eliminating blanketing interference cause by their individual stations. In addition, this action is taken to refine and specify methods for determining the geographical blanketing area.

Objectives. In many cases, the licensee's responsibility in eliminating blanketing interference is misunderstood by listeners and broadcaster alike. Thus, the objectives of this action is intended to remove confusion and facilitate the resolution of broadcast blanketing interference problems.

Legal Basis. Authority for the actions proposed in this Notice may be found in Sections 4 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154 and 303.

Reporting, Recordkeeping, and Other Compliance Requirements. None.

Federal Rules which Overlap, Duplicate, or Conflict with the Proposed Rule. None.

Description, Potential Impact and Number of Small Entities Involved. None.

Any Significant Alternatives Minimizing the Impact on Small Entities and Consistent with the Stated Objectives. There are none apparent.

Initial Paperwork Reduction Act of 1995 Analysis

18. This NPRM contains either a proposed or modified information collection. As part of its continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104–13. Public and agency comments are due June 25, 1996, OMB comments are due July 29, 1996. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and

clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

Comment Information

19. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 CFR §§ 1.415 and 1.419, interested parties may file comments on or before June 25, 1996 and reply comments on or before July 25, 1996. To file formally in this proceeding, you must file an original plus five copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original plus nine copies. You should send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC 20554.

List of Subjects in 47 CFR Part 73

Radio broadcasting, Television broadcasting.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Rule Changes

Part 73 of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334.

§ 73.88 [Removed]

2. Sections 73.88 is removed.

§ 73.318 [Removed]

3. Section 73.318 is removed.

4. Section 73.685 is amended by revising paragraph (d) to read as follows:

§ 73.685 Transmitter location and antenna system.

* * * * *

(d) (See Section 73.1630 concerning blanketing interference)

* * * * *

5. A new Section 73.1630 is added to Subpart H to read as follows:

§ 73.1630 Blanketing interference.

(a) Calculation of the Blanketing Interference Contour for AM Stations. Areas adjacent to the transmitting antenna that receive a signal with a strength of 1 V/m or greater will be assumed to be blanketed. The determination of the location of the 1 V/m contour along a radial shall be by actual field strength measurement or by iterative vector summation of the field radiated by each antenna until the 1 V/m contour is located. The distance from each tower to the point at which the fields are being summed, shall be calculated using the Cosine Law with the distance from the tower to the array reference point being one side, the distance to the point of summation from the reference point being the second side and the angle between the two sides being the included angle. The field radiated by each tower is attenuated using only inverse distance attenuation and the phase of the field component from each tower shall be taken as the phase of the current at the tower's current loop minus the space phase from the tower to the point of summation.

Note to paragraph (a): If d_n is the distance from the reference point to the point of summation, s_n the distance from the reference point to the tower n, and Φ_n the included angle, the distance D_n, from tower n, is given by $D_n = (d_n^2 + s_n^2 - 2d_n s_n \cos(\Phi))^{1/2}$. The Field ϑ, a vector quantity, is given by $\vartheta = \Sigma\, \vartheta_n/D_n$ where ϑ_n is the field radiated by tower n and D_n is the distance from tower n.

(b) Calculation of the Blanketing Interference Contour for FM and TV Stations. Areas adjacent to the transmitting antenna that receive a signal with a strength of 115 dBu (562 mV/m) or greater will be assumed to be blanketed. In determining the blanketed area, the 115 dBu contour is determined by calculating the inverse distance field using the effective radiated power of the maximum radiated lobe of the antenna without considering its vertical radiation pattern or height. For directional antennas, the effective radiated power in the pertinent bearing shall be used. The distance to the 115 dBu contour is determined using the following equation:

D (in kilometers) = $0.394\sqrt{P}$

D (in miles) = $0.245\sqrt{P}$

Where P is the maximum effective radiated power (ERP), measured in kilowatts, of the maximum radiated lobe.

(c) After January 1, 1997, permittees or licensees who either commence program tests, replace their antennas, or request facilities modifications and are issued a new construction permit must satisfy all complaints of blanketing interference which are received by the station during a one year period. The period begins with the commencement of program test, or commencement of programming utilizing the new antenna. Resolution of complaints shall be at no cost to the complainant. These requirements specifically do not include interference complaints resulting from malfunctioning or mistuned receivers, improperly installed antenna systems, or the use of antenna booster amplifiers. Mobile receivers and non-RF devices such as tape recorders or hi-fi amplifiers (phonographs) are also excluded. (See the Appendix to § 73.1630 for covered devices and non-covered devices.)

(d) A permittee collocating with one or more existing stations and beginning program tests on or after January 1, 1997, must assume full financial responsibility for remedying new complaints of blanketing interference for a period of one year. Two or more permittees that concurrently collocate on or after January 1, 1997, shall assume shared responsibility for remedying blanketing complaints within the blanketing area unless an offending station can be readily determined and then that station shall assume full financial responsibility.

(e) Following the one year period of full financial obligation to satisfy blanketing complaints, licensees shall provide technical information or assistance to complainants on remedies for blanketing interference.

(f) A summary of the station's responsibilities are as follows:

(1) Complainant Within the Blanketing Contour.

(i) Complaint Received Within First Year of Operation—Paragraph (c) of this section.

(A) DEVICES COVERED UNDER Section 73.1630—Licensee/permittee is financially responsible for resolving interference complaints.

(B) DEVICES NOT COVERED UNDER Section 73.1630—Licensee/permittee is not financially responsible for resolving interference complaints.

(ii) Complaint Received After First Year of Operation—Paragraph (e) of this section.

(A) DEVICES COVERED UNDER Section 73.1630—Licensee/permittee is not financially responsible for resolving interference complaints. Licensee/permittee is required to provide technical assistance to complainants. This entails the providing of information on the cause of the interference and also providing information on proper corrective measures.

(B) DEVICES NOT COVERED UNDER Section 73.1630—Same as paragraph (f)(1)(i)(B) of this section.

(2) Complainant Outside the Blanketing Contour.

(i) Complaint Received Within First Year of Operation—Paragraph (c) of this section.

(A) DEVICES COVERED UNDER Section 73.1630—Licensee/permittee is not financially responsible for resolving interference complaints. However, the licensee/permittee is expected to cooperate with complainants by providing technical assistance in determining the cause of the problem and providing advice on corrective measures.

(B) DEVICES NOT COVERED UNDER Section 73.1630—Same as paragraph (f)(1)(i)(B) of this section.

(ii) Complaint Received After First Year of Operation—Paragraph (e) of this section.

(A) DEVICES COVERED UNDER Section 73.1630—Same as paragraph (f)(1)(i)(B) of this section.

(B) DEVICES NOT COVERED UNDER Section 73.1630—Same as paragraph (f)(1)(i)(B) of this section.

Appendix to § 73.1630—Covered and Non-Covered Devices

I. Devices Covered Under 47 CFR § 73.1630

Receivers, Tuners, and RF Amplifiers

—Radio (stationary or portable)
—TV (stationary or portable)
—Satellite TV
—VCR
—Cable TV head-end
—Fixed radio sites for cellular systems, private radio services, SMR and PCS systems.

II. Devices Not Covered Under 47 CFR § 73.1630

—Malfunctioning or mistuned receivers
—Improperly installed antenna systems
—Antenna booster amplifiers
—Mobile receivers and non-RF devices such as:
—Mobile receivers (i.e. Walkman or Watchman)
—Car radios
—Musical instrument amplifiers
—All Telephones (including hard-wired, cordless, mobile or pocket cellular or PCS)
—Answering machines
—Digital or Analog tape recorders
—CD players
—Phonographs
—Computers

III. Definitions

Mobile Receivers—Devices that do not remain in one fixed location. These devices are excluded due to their inherently transient nature.

Portable Receivers—Capable of being carried, whether operating by electric cord or batteries.

Note: Not all portable receivers are operated in the mobile mode.

[FR Doc. 96–12946 Filed 5–24–96; 8:45 am]
BILLING CODE 6712–01–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

Federal Acquisition Regulation; Elimination of Nonstatutory Certifications

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Agenda for public meeting.

SUMMARY: By Federal Register notice dated May 14, 1996 (61 FR 24263), the Administrator for Federal Procurement Policy and the Federal Acquisition Regulatory Council announced a public meeting to discuss implementation of Section 4301(b) for the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104). The notice stated that there would be an interactive meeting between the Federal Acquisition Regulatory Council, other Government representatives (from the procurement, legal and Inspector General communities), and industry. The purpose of this notice is to provide a sample of the types of issues/questions that will be posed for discussion and to solicit additional questions/issues from the public. Suggestions thus far include:

1. What are the requirements of Section 4301(b) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106)?

2. What role do certifications required in the FAR play in the Federal procurement process? Is this role one that should be preserved or discontinued? Why?

3. What are the positive aspects of FAR certification requirements? What concerns or issues, if any, do they create for Government? What concerns or issues, if any, do they create for offerors/contractors?

4. What are the negative aspects of FAR certification requirements? What concerns or issues, if any, do they create for Government? What concerns or issues, if any, do they create for offerors/contractors?

5. Do FAR requirements for prime Government contractors to include certification requirements in their subcontract provide benefits for Government or for offerors/contractors? Do such requirements create concerns or issues for Government or offerors/contractors?

6. Identify any existing FAR certification requirements that are especially burdensome to offerors/contractors. Describe the nature of the burden, and indicate whether or not any benefit derived from the requirement outweighs the burden.

7. In implementing the requirements of Section 4301, what criteria should be used to determine whether or not a particular certification, other than those mandated by statute, should be retained or deleted?

8. Do the FAR certification requirements affect whether or not commercial firms, or commercial divisions of firms, are interested in selling supplies or services to the Government? Why or why not?

9. If the FAR certification requirements do provide a benefit to the Federal procurement process that is worth preserving, is there an alternative means by which the same benefit can be provided?

10. Do certifications promote socially useful efforts by companies to assure that they are in compliance with the law? How useful are these certifications in ensuring the integrity of the procurement process?

11. How should we view the suggestion that certifications make it easier to prosecute cases against those the Government suspects of criminal wrongdoing? Do certifications make it ''too easy'' for the Government to win, or does it allow the Government to overcome the proof of burden that would otherwise be almost impossible to meet?

DATES: The public meeting will be conducted at the address shown below from 1:00 p.m. to 5:30 p.m., Eastern daylight time, on June 3, 1996.

ADDRESSES: The meeting will be held at the White House Conference Center, Truman Room, 726 Jackson Place, NW, Washington, DC 20503. Suggestions for other questions/issues should be sent prior to the meeting to Mike Mutty, Defense Acquisition Regulations Council, PDUSD (A&T) DP(DAR), IMD 3D129, 3062 Defense Pentagon, Washington, DC 20301–3062, or by FAX to (703) 602–0350.